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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,144	08/03/2001	Dirk Hente	DE000108	7446

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EXAMINER

LE, DANG D

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 02/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/922,144

Applicant(s)

HENTE, DIRK

Examiner

Dang D Le

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-7 and 9-11 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by De Jager et al.

Regarding claim 1, De Jager et al. show an electrical apparatus (Figures 1-4) having an actuator including at least two permanent magnets (8) and at least one electrical coil (9) which is movably supported by means of a swing arm (15), which coil is arranged to be traversed by magnetic fields of the permanent magnets, the actuator having a cage (5), which encloses the coil and the permanent magnets, as a closed magnetic return path (Figure 1), further comprising means (17) for exerting a permanent return force for the excursions of the swing arm (15).

Regarding claim 2, it is noted that De Jager et al. also show the cage (5) made of soft-iron or steel and shaped so as to shield the magnetic stray fields of the magnets (Figure 1).

Regarding claim 4, it is noted that De Jager et al. also show the swing arm which is supported on a pivot, being preloaded with respect to a housing by means of a torsion spring (17).

4. Claim 9 is rejected under 35 U.S.C. 102(e) as being anticipated by Hartman.

Regarding claim 9, Hartman shows all of the limitations of the claimed invention including the cage (25) at its side (left and right, Figure 3) that is remote from the pivot, a shielding wall (extending up from bottom piece 25) having an opening (behind magnet 74) in the area (where arrows 24 and 62 pointing to) of the magnets (74).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over De Jager et al. in view of Hartman.

Regarding claim 3, it is noted that De Jager et al. also show the swing arm (15), which is secured to the coil (9) supported on a pivot, and the pivot arranged at an inner side of the permanent magnets except for the magnets being sector-shaped.

Hartman shows the magnets being sector-shaped for the purpose of increasing flux strength.

Since De Jager et al. and Hartman are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make the magnets with sector-shaped as taught by Anna et al. for the purpose discussed above.

7. Claims 5, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Jager et al. in view of Anna et al.

Regarding claim 5, it is noted that De Jager et al. also show all of the limitations of the claimed invention except for the use of blade spring.

Anna et al. show the use of blade spring (12) for the purpose of making a shaver.

Since De Jager et al. and Anna et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to use the blade spring as taught by Anna et al. for the purpose discussed above.

Regarding claim 7, it is noted that Hartman and Anna et al. also show the pivot being replaced with a point of attachment to a housing, where the swing arm (9) is attached by means of a blade spring (11).

Regarding claim 10, it is noted that Anna et al. also show the electrical apparatus being an electrically driven shaving apparatus.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman in view of Hanrahan et al.

Regarding claim 6, Hartman shows all of the limitations of the claimed invention except for clearly showing the first pivot point. The first pivot point of Hartman seems to be a screw. However, in the art of linear motor, it is a micro-actuator.

Hanrahan et al. clearly show the first pivot point (21) not to be a screw for the purpose of controlling the head motion.

Since Hartman and Hanrahan et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make the first pivot point as taught by Hanrahan et al. for the purpose discussed above.

9. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anna et al. in view of Hartman.

Regarding claim 11, Anna et al. show all of the limitations of the claimed invention except for the shaver actuator with the magnets and the cage acting as a closed magnetic return path.

Hartman shows an actuator with the magnets and the cage acting as a closed magnetic return path for the purpose of increasing the flux strength.

Since Anna et al. and Hartman are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to use the actuator of Hartman for the purpose discussed above.

Allowable Subject Matter

10. Claim 8 is allowed.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Information on How to Contact USPTO

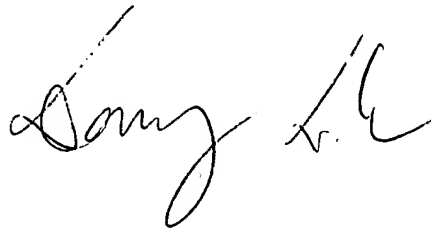
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL
February 6, 2003

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A handwritten signature in cursive script, appearing to read "Dang D Le".